

VZCZCXR06338
RR RUEHGI RUEHRN RUEHROV
DE RUEHKM #0463/01 0741043
ZNR UUUUU ZZH
R 151043Z MAR 07
FM AMEMBASSY KAMPALA
TO RUEHC/SECSTATE WASHDC 8429
INFO RUCNIAD/IGAD COLLECTIVE
RUEHXR/RWANDA COLLECTIVE

UNCLAS SECTION 01 OF 02 KAMPALA 000463

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SENSITIVE
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E.O. 12958: N/A

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SUBJECT: UGANDA: GOVERNMENT CLOSURE OF NATIONTV

¶1. (SBU) Summary: The Government's closure of NationTV and concurrent demands on its sister organization, Monitor Publications, highlight the Ugandan Government's questionable commitment to an independent media. In exchange for allowing the station to broadcast, President Museveni has reportedly requested that the Daily Monitor newspaper tone down criticism of the government. Museveni's close advisors have presented other government demands, including the replacement of the Monitor's management and editors with government approved personnel. Journalists and parliamentarians claim that NTV's closure, coupled with the curbing of the Monitor's independence, appear to be part of a campaign to curb opposition to Museveni, particularly coming from within the ruling party, which had found an outlet in the vibrant Ugandan press. End Summary.

¶2. (SBU) Conrad Nkutu, Managing Director of Monitor Publications, raised the issue of the closure of the independent Nation TV with several diplomatic missions. On February 26, he told the Ambassador and Embassy officers that the Government had placed conditions on the re-opening of the station. Monitor Publications, a subsidiary of Kenya-based Nation Media Group, whose majority owner is the Aga Khan, had been trying to get a license to begin broadcasting for NationTV for the last two years. Initially, they were told the broadcast spectrum was full and no frequency was available to them. The National Broadcasting Council (NBC) subsequently suggested that the Monitor group buy a license from another company which had been granted one but was not using it. NTV initially decided against this option, but eventually purchased one from M/S Gentech Ltd. Nkutu said the Chairman of the NBC, Godfrey Mutabazi, was responsible for holding up their efforts to gain a license.

¶3. (SBU) Nkutu used family connections with the Minister of Information, Kurunda Kivejinja, to get the license granted in late 2006. According to Nkutu, there was a last minute attempt from President Museveni to block the license during a telephone call from Hong Kong, but Nkutu had already picked it up. The Nation Group then moved quickly to enter into a contract with the Uganda Broadcasting Corporation to rent space on the main transmitter mast in Kololo for the equipment.

¶4. (SBU) Nation TV began broadcasting on January 3, 2007. Nkutu claims that the transmitting equipment was sabotaged twice, but was quickly fixed each time. Nkutu also told the Ambassador that the government then instructed UBC to turn off the NTV transmitters. After some pressure, UBC complied. The Nation Group threatened UBC with legal action, which was the catalyst for restoration of the service. On February 2, officials acting on behalf of the UBC confiscated two microwave receivers. NTV has been off the air since.

¶5. (SBU) The Nation Group is trying to get the station back on the air due to the Aga Khan's investment in the NTV project of USD 4 million. Nkutu said that Minister of

Security, Amama Mbabazi, Government Spokesperson, John Nagenda, and Managing Director of the Government-run New Vision, Robert Kabushenga, gave Nation Group a list of demands that must be met before NTV will be allowed back on air:

- The Daily Monitor newspaper and private radio station KFM must stop running stories that are critical of the government
- Nkutu must be replaced as Managing Director of Monitor Publications.
- Joachim Bwembo must be replaced as Editor of the Daily Monitor newspaper. (Bwembo was replaced on March 12.)
- Wafulo Oguttu, who is spokesman for the opposition party, Forum for Democratic Change, must be removed from the Monitor board.
- An opposition spokesman and leading journalist, Oguttu and Charles Onyango-Obbo, must give up their 24 percent shares in the Monitor Publications Group.
- The government will approve Nkutu and Bwembo's replacements.
- The government will appoint a senior manager to work in the Monitor group and appoint a marketing director of Nation TV.

¶6. (SBU) Nkutu said the Nation Group rejected the Government's demands. On February 15, the Nation Group's, Chief Executive Officer, Linus Gitahi, and Vicky Unwin, an Aga Khan Foundation representative met with President Museveni. Amelia Kyambedde, the Personal Principal Secretary to Museveni, was also present. In the meeting, Museveni complained that the Monitor was too critical of his family and government. Museveni focused on balance in reporting in the Monitor. Museveni wanted assurances that positive stories about the government would be covered as well as negative articles. Museveni closed the meeting by saying he needed to "demobilize his troops who prepared for war."

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Kyambedde told Unwin that the President needed a letter from the Monitor outlining the steps it would take to comply.

¶7. (SBU) The Nation agreed to strike a balance. Nkutu said since the meeting, there had been changes in the Monitor. Positive government news stories have been more prominent and the Monitor had chosen not to run some critical pieces or not place them on the front page. A government critic was removed from a popular political talk show. The Monitor agreed that it would tone down coverage, but not tone down the stories.

¶8. (SBU) Nonetheless, Nkutu said that additional demands and pressure continued to come from those around Museveni. For example, planted stories appeared in the New Vision, Red Pepper, and Observer newspapers casting doubt on Nkutu's ability to keep his job.

¶9. (SBU) Nkutu said the Nation Group was considering its options, but hoped to resolve the situation without legal action. The Aga Khan apparently wants to avoid a legal confrontation that could jeopardize almost one billion dollars of investments in Uganda, including the Monitor, KFM radio, Diamond Trust School, Aga Khan School, the Serena Hotel, a new power plant at Bujagali, and an airline to be based at Entebbe International Airport. However, Nation Group is now looking at taking the case to the courts, but is skeptical about the outcome given the Government's defiance of the courts in the Peoples' Redemption Army (PRA) case. Nation Group officials believe the government would either bog the case down in technicalities and adjournments or interfere to ensure the Nation Group loses.

¶10. (SBU) Parliament called Kivejinja to explain what had gone on. Nkutu said he met with Kivejinja, who said he was uncomfortable with covering for the government. Kivejinja said the GOU had acted badly. He would seek to make a carefully worded statement that leaned in favor of NTV. In his statement to Parliament, Kivejinja claimed that the Group initially obtained frequencies by purchasing their license

from M/S Gentech Ltd. Kivejinja said that Mutabazi signed the letter granting the transfer of license and confirmed its validity when requested to do so by the Nation Group attorneys. The Minister then wrote a letter on January 30 informing NTV that they were "free to commence broadcasting."

The case was brought to Kivejinja's attention when the Broadcast Council declined to renew the license in June 2006.

His guidance concurred with the decision and he said that "selling licenses was akin to selling chits, a practice the Movement had done away with because of the corruption tendencies." He expressed a need for the government to retain some control over the media under certain circumstances.

¶11. (SBU) Comment: Dissident ruling party parliamentarians called Kivejinja to explain the station's closure. He claimed the issue was administrative in nature and could be resolved without parliamentary involvement.

CHRITTON